

Message Text

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PAGE 01 LONDON 00153 051259Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 IO-13
/046 W

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R 051228Z JAN 78

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 1725

INFO AMEMBASSY OTTAWA

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E.O. 11652: N/A

TAGS: EAIR, US, UK, CA

SUBJECT: CIVAIR: BRITISH ATTEMPT TO COLLECT CANADIAN
NAVIGATION AND COMMUNICATIONS CHARGES

REF: (A) OTTAWA 10469; (B) LONDON 19187

1. SEABOARD'S LONDON REP (BLAKE) INFORMED CIVAIR ATTACHE DEC. 29 THAT MEETING WAS HELD DEC. 16 TO CONSIDER AIRLINE ACTION IN THIS MATTER. PRESENT WERE TWA (O'KEEFE), PANAM (SEAGRAVE), SEABOARD (GARB), FRESHFIELDS (THE AIRLINES' LONDON SOLICITORS), AND DENNIS HENRY, A LONDON BARRISTER. IN VIEW OF THE BREAKDOWN OF EFFORTS TO GET CANADIAN AIR TRANSPORT ADMINISTRATOR MCLEISH TO WITHHOLD CANADIAN APPROVAL OF BRITISH LEGAL ACTION TO ENFORCE PAYMENT, IT WAS DECIDED TO PURSUE THE AIRLINES' CHALLENGE IN THE CANADIAN COURTS TO THE CANADIAN-BRITISH AGREEMENT FOR BRITISH COLLECTION. IN THE MEAN-TIME HENRY WOULD BUY TIME BY CHALLENGING THE CIVIL AVIATION AUTHORITY'S AUTHORITY TO ENFORCE COLLECTION IN A LETTER TO THE CAA'S ARNOLD KEAN.

2. BLAKE CONFIRMED THAT, FROM THE AIRLINES' POINT OF
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VIEW, IN THE CIRCUMSTANCES A NOTE LIKE THAT PROPOSED IN
REF (B) SHOULD GO FORWARD.

3. COMMENT: AT FIRST GLANCE THIS REPORT SEEMS TO
CONFLICT WITH MCLEISH'S DENIAL (REF (A)) THAT THE
CANADIAN GOVERNMENT HAS STARTED LEGAL ACTION AGAINST THE
THREE AIRLINES, BUT PERHAPS HE CONSIDERS A DENIAL JUSTI-

FIED BECAUSE (A) THE CANADIAN GOVERNMENT WOULD NOT BE A
PARTY TO A UK CASE INSTITUTED BY THE CAA, AND (B) NO
SUCH CASE HAS ACTUALLY BEEN INSTITUTED AS YET.

BREWSTER

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NNN

Message Attributes

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Concepts: CIVIL AVIATION, DEBT REPAYMENTS
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Decaption Date: 01 jan 1960
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Litigation History:
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